



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/549,440 | 04/14/2000 | Alfred L. Chi | 11602-002002 | 9296 |

26161 7590 03/03/2003

FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

BUI, THACH H

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3628

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/549,440

Applicant(s)

CHI, ALFRED L.

Examiner

Thach H Bui

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-27, 32, and 41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, particularly, an abstract idea.

The Examiner notes that the disclosed invention is within the technological arts. The claimed invention is also noted not to be a computer program, data structure, a natural phenomenon, and a non-descriptive material per se. The claimed invention does not include a series of steps to be performed by a computer. The claimed invention also is not a product for performing a process, nor it is a specific machine or manufacture. The claimed invention is not a specific tangible machine or process for facilitating a business transaction. Claims 1-27, 32, and 41 do not appear to correspond to a specific machine or manufacture disclosed within the instant specification and thus encompasses any product of the class configured in any manner to perform the underlying process. The claimed invention of claims 1-27, 32, and 41 also does not include a post-computer process activity or a pre-computer process activity. Thus, no physical transformation is performed, no practical application in the technological art is found. Consequently, claims 1-27, 32, and 41 are analyzed based upon the underlying process, and are thus rejected as being directed to a non-statutory process.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-12, 15-21, 23-24, 26-32 and 41-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Solokl et al. (U.S. Patent No. 6,173,269).

As per claim 1, Solokl et al. disclose a computer method or fund transferred includes a holder of a financial account to predefine a virtual account associated with the financial account (18) (Internet passport account). The virtual account has an associated limitation/restrictions on a payment and/or identity of the third party from the financial account (column 3, lines 56-60) (column 5, lines 38-42) (column 5, lines 56-66) (column 6, lines 51-56). Further, Solokl et al. also disclose a response to a request made by the third party for payment i.e. vendors, master, visa and etc. using the virtual account information, and a means to prevent any payment from the financial account that is outside the limitation associated with the virtual account.

As per claims 2-10, Solokl et al. have all the features of the invention, but do not mention explicitly about the restriction on the number of times payments can be made. However, Solokl et al. teach a supervision means from the parents/adults upon the

purchases, vendors and etc. Therefore, it is understood that the system, as taught by Solokl et al., has the ability to restrict on the number of times payments can be made. In addition, Solokl et al. teach the use of credit card for purchases (column 6, line 46); therefore, it contains an expiration date.

As per claims 11 and 12, Solokl et al. teach a means for a holder to present the virtual account identifier to the third party electronically (see Figures 1-3).

As per claims 15-21, Solokl et al. disclose a means for a holder to access the virtual account through a web browser using a password (column 4, lines 12-29) (column 6, lines 19-21) (column 7, line 55) of which the holder is prevented from viewing, deleting or modifying the virtual account except upon presentation of the password.

As per claims 23-24, and 26-31, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale. In addition, Solokl et al. disclose an approved list by the parents/adults of merchants, merchants' categories and etc. therefore, it is understood that the system, as taught by Solokl et al. is capable to block payment from the financial account that would violate either of the predefined limits. Furthermore, Solokl et al. teach a database as a storage medium to store user file (column 6, line 63-column 7, line 32).

As per claim 32, the claim contains features addressed in the above claims, and therefore, is rejected under the same rationale. In addition, Solokl et al. disclose a first party (a holder's checking or saving account) giving to a second party a file identifier (virtual account) identifying the first party's file with an intermediary party (virtual

account's handler) and a virtual account identifier identifying a virtual account maintained by the intermediary party on behalf of the first party.

As per claims 41 and 42, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl et al.

Solokl et al. have all the features of the invention but lack the teaching of multiple virtual accounts. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to set up multiple virtual accounts for two or more teenagers of the same family.

4. Claims 22, 25, 33-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solokl et al. in view of Pepe et al. (U.S. Patent No. 5,742,905).

Solokl et al. have all the features of the invention but lack the teaching of using the telephone to access the account. Pepe et al. teach a means for using a telephone (wireless communication) to access the information. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the

teachings of Solokl et al. and combine with Pepe et al. to have a system that allows telephone to access the financial account.

As per claims 33-40, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rosen, Bent et al., Randle et al. Williams et al., Case, Deming, Lawlor et al., and Pierce et al. are cited of general interest.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thach H Bui whose telephone number is 703-305-0063. The examiner can normally be reached on Monday-Friday, 7:30-4 p.m.

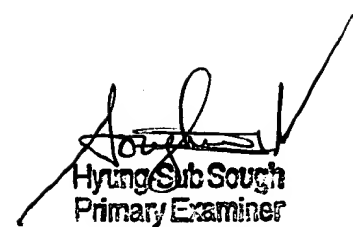
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Application/Control Number: 09/549,440
Art Unit: 3628

Page 7

T.B.
February 14, 2003


Hyung Sub Sough
Primary Examiner